In the High Court for the States of Punjab and Haryana, at Chandigarh.

C.W.P.No. 18777 of 2005
Decided on Nov 09,2006.

The Gumina Coperative Transport Society Ltd,Gumina etc --Petitioners

vs.

State Transport Commissioner Haryana and others --Respondents.

Coram: Hon'ble Mr.Justice Jasbir Singh
Hon'ble Mr.Justice Pritam Pal

Present: Mr.Sandeep Kotla,Advocate,for the petitioners

Mr. S.S.Pattar, Sr.DAG,Haryana.

Mr. Arun Yadav,Advocate,for respondent Nos. 4,5 and 6.

Jasbir Singh J:(Oral)

In this writ petition, it is prayer of the petitioners that respondent Nos. 1 and 2, be restrained from granting any extension in the route allotted in favour of respondent Nos. 3 to 6. It is contention of counsel for the petitioners that after grant of Stage Carriage Permit, on a particular route, as per instructions of the Government, extension can be granted only once.

During arguments, it has been brought to the notice of this Court that vide order dated Annexure R-1, extension , in fact, was granted in favour of respondent Nos. 3 to 6 vide order dated November 28,2005 i.e. before filing of the present writ petition. Admittedly, that order is appealable, as per the provisions of the Motor Vehicles Act,1988.

In view of above situation, this writ petition is disposed

of with liberty to the petitioners to lay challenge to the order Annexure R-1 dated November 28,2005. As the petitioners have been pursuing this writ petition, before this Court, in a bonafide manner, if any appeal/revision is filed against order Annexure R-1 dated November 28,2005, within three weeks from today, bar of limitation shall not operate against the petitioners.

(Jasbir Singh)
Judge

Nov 09,2006,
RR

(Pritam Pal)
Judge